

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

AMMER QADDUMI,

Plaintiff,

v.

INTERIM UT AUSTIN PRESIDENT  
JAMES E. DAVIS, et al.,

Defendants.

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Cause No. 1:24-cv-1002

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**PLAINTIFF'S DESIGNATION OF EXPERT WITNESS**

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Plaintiff designates the following expert witnesses in accordance with the Agreed Scheduling Order entered by the Court on March 10, 2025 and Federal Rule of Civil Procedure 26(a)(2). Plaintiff reserves the right to supplement or amend this designation of expert witnesses with additional expert witnesses within the time limits imposed by the Court or any alterations of same by subsequent Court order, agreement of the parties, or pursuant to the Federal Rules of Civil Procedure.

- Joe Ahmad**  
**Ahmad, Zavitsanos & Mensing PLLC**  
**1221 McKinney Street, Suite 3460**  
**Houston, Texas 77010-2009**  
**(713) 655-1101**

Mr. Ahmad will testify as to attorneys' fees, including reasonable and necessary attorneys' fees incurred in connection with the claims and defenses asserted in this case, as well reasonable and necessary attorneys' fees for any appeals to the United States Court of Appeals for the Fifth Circuit or the United States Supreme Court.

Mr. Ahmad has been practicing law in Houston, Texas for more than thirty years. He was admitted to practice law in Michigan in 1987 and in Texas in 1989. He served as Law Clerk to

the Honorable Benjamin F. Gibson, U.S. District Court, Western District of Michigan, from 1987 to 1989. Mr. Ahmad has been Board Certified by The Texas Board of Legal Specialization in the areas of Employment and Labor Law since 1996. Mr. Ahmad is a member of the Houston and American Bar Associations (Sections: Litigation; Labor and Employment Law); State Bar of Texas (Sections: Labor; Litigation); College of the State Bar of Texas; Texas Trial Lawyers Association; The American Association for Justice (formerly The Association of Trial Lawyers of America); National Employment Lawyers Association; Houston Chapter, National Employment Lawyers Association; Fellow, Houston Bar Foundation; Million Dollar Advocate Forum; and Fifth Circuit Bar Association.

Mr. Ahmad is familiar with the reasonable and customary hourly rates charged for this type of work in Texas. He is familiar with the facts of this case and work performed in connection with this case and will rely upon his training and experience as a lawyer in rendering an opinion as to the reasonable and necessary attorney's fees in this case.

Mr. Ahmad has reviewed the pleadings, discovery materials, and correspondence in this case. He is familiar with the facts of this case and work performed in connection with this case.

Mr. Ahmad will rely upon his training and experience as a lawyer in rendering an opinion as to the reasonable attorney's fee recoverable under 42 U.S.C. § 1988 if Plaintiff is the prevailing party. Mr. Ahmad's opinion will consider the following authorities and factors:

- The amount of the lodestar fee, equal to the number of hours reasonably expended on the case multiplied by a reasonable hourly rate, *see Hensley v. Eckerhart*, 461 U.S. 424, 433–34 (1983), with the number of hours and the reasonable rate depending upon, *inter alia*:
  - Whether the hours billed were “expended in pursuit of the ultimate result achieved,” excluding hours that are excessive, redundant, or unnecessary. *Id.* at 433–35.
  - The prevailing market rates in the relevant community. *Blum v. Stenson*, 465 U.S. 886, 895 (1984).
  - Whether an enhancement of the market rate is appropriate because the lodestar does not adequately measure the attorney's true market value, or the attorney's performance includes an extraordinary outlay of expenses during protracted litigation, or there is an unanticipated delay in the payment of fees. *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 554–55 (2010).
- Whether the lodestar amount should be adjusted up or downward according to any of the *Johnson* factors, including: “(1) the time and labor required; (2) the novelty and difficulty of the legal questions; (3) the requisite skill to perform the legal service properly; (4) the preclusion of other employment by the attorney due to acceptance of the case; (5) the customary fee for similar work in the community; (6) whether the fee is fixed or contingent; (7) the time limitations imposed by the client or the circumstances; (8) the amount involved and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) the ‘undesirability’ of the case; (11) the nature and length of the professional relationship with the client; and (12) awards in similar cases.” *Pittman v. S.W. Bell Tel. L.P.*, 2022 WL

20508220, at \*2 (W.D. Tex. Aug. 16, 2022) (citing *Johnson v. Georgia Highway Exp., Inc.*, 488 F.2d 714, 717–19 (5th Cir. 1974)).

Mr. Ahmad's opinions and the basis for those opinions will be provided to all counsel of record once the case is more fully developed and additional attorneys' fees and costs are incurred, so as to enable an analysis of the hours reasonably expended. Generally, Mr. Ahmad's opinion is that the hourly rates of Ahmad, Zavitsanos, & Mensing and Austin Community Law Center are reasonable and within the range of rates charged in Texas for similar work performed by lawyers with similar background, qualifications, experience, reputation, and skill. Mr. Ahmad will attach his full opinion in the form of an affidavit, if necessary, at such time as a motion for fees is filed pursuant to Local Rule CV-54.

If necessary, Mr. Ahamd may also testify in rebuttal to any claim of attorney's fees by Defendants, including that defendants have failed to establish the circumstances necessary to qualify for attorney's fees under *Christiansburg Garment Co. v. EEOC*, 434 U.S. 412, 421 (1978), and/or that defendants' asserted fees are not reasonable or necessary.

Mr. Ahmad will continue to review pleadings, documents produced, discovery responses, depositions in this case, and contemporaneously recorded statements of attorney time spent in connection with this matter in supplementing or amending his opinions. Mr. Ahmad may prepare an exhibit summarizing reasonable and necessary attorney time, fees, and costs in this matter.

Mr. Ahmad's credentials can be found here: <https://azalaw.com/our-attorneys/joseph-y-ahmad/>.

Dated: July 1, 2025

Respectfully submitted,

/s/ Sean Healey

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**COUNSEL FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to all counsel of record on July 1, 2025.

/s/ Sean Healey

Sean Healey